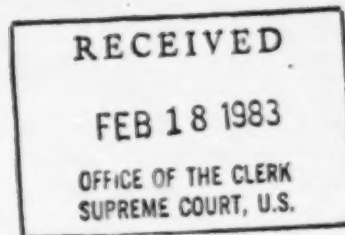


IN THE  
SUPREME COURT OF THE UNITED STATES  
FEBRUARY TERM, 1983



NO. 83-5253

ALBERT OSTROWSKI , PETITIONER ,  
VERSES  
CITY OF JOLIET , ILLINOIS , RESPONDENTS .

APPEAL FROM  
THE SUPREME COURT OF ILLINOIS

ALBERT OSTROWSKI  
912 B PARKWOOD DRIVE  
JOLIET , ILLINOIS  
60432  
815 \* 723 \* 8172

FILED  
FEB 14 AM 11:57  
U.S. SUPREME COURT  
RECEIVED

## OPINIONS BELOW

As of the writing of this appeal , there has been no opinions of any Court reported or entered . The Appellate Court of Illinois denied Petitioner to proceed in Forma Pauperis with no opinion . The Supreme Court of Illinois denied Petitioner Appeal with no opinion . The Petitioner has attached all of the documents in chronological order in the appendix contained in this appeal .

## JURISDICTION

28 (19) 5

The Supreme Court of Illinois denied the Petitioner Appeal on December 1 , 1982 and denied motion to reconsider the Appeal on February 4 , 1983 . The Appeal has been filed within the 90 days to the Supreme Court of the United States . The Supreme Court has jurisdiction over the Petitioner right to appeal from the Illinois Supreme Court to the Supreme Court of the United States ; over the Constitutional questions involving Article 1 , Section 10 , Clause 1 , of the United States Constitution covering powers limited to the State ; and when a State and City violate its own laws , and Rules ...

## ALL QUESTIONS PRESENTED

ARTICLE 1 , Section 10 , Clause 1 : No State shall enter into any treaty , alliance , or confederation ; grant letters of marque and reprisal ; coin money ; emit bills of credit ; make any thing but gold and silver coin a tender in payment of debts ; pass any bill of attainder ; ex post facto law , or law impairing the obligation of contracts , or grants any title of nobility .

- A) Is the State of Illinois still bound by Article 1 , Section 10 , Clause 1 , of the United States Constitution ?
- B) Is a law or part of the Constitution still effective when only 75% is being obeyed by the individual or the State ?
- C) Can an individual or a State Disregard 14 words without negating the total intent of the law ?
- D) Can a State of Illinois Court Accept anything but gold or silver coin if one of the litigants demands that the State of Illinois Court strictly adhere to the United States Constitution ?
- E) If an American citizen strictly adheres to the Constitution for the United States , can the State of Illinois disobey the Constitution for it's own convenience ?
- F) Can an American Citizen be penalized for relying on Previous Supreme Court Decisions ?
- G) If an American citizen has relied on the United States Constitution anotated with appropriate case law , can the State of Illinois Court compel the American citizen to disobey the Constitution ?

CHAPTER 120 , Section 72 , Paragraph 191 ; KIND OF FUNDS RECEIVABLE : The county revenue shall be collected in gold and silver coin , United States legal tender notes , current national bank notes , county orders and jury certificates and in no other currency . The revenue for State purposes shall be collected in gold and silver coin , United States legal tender notes , current national bank notes and Auditors' warrants , and in no other currency . The revenue for city purposes shall be collected in gold and silver coin ; United States legal tender notes , current national bank notes , city comptrollers' , city auditors' or orders on the city treasurer , and in no other currency . STATE taxes levied for any special purpose , other than to defray the ordinary expenses of the State government , shall be collected in gold and silver coin , United States legal tender notes , current national bank notes and , and in no other currency . All other taxes shall be collected in gold and silver coin , United States legal tender notes and in current national bank notes , and in no other currency unless otherwise specially provided for .

- 1.) Is the State of Illinois , County of Will , and City of Joliet bound by Illinois Revised Statutes Chapter 120 , Section 672 , Paragraph 191 ?
- 2.) Is a law or part of Illinois Revised Statutes 120 , Sec 672 still effective when only 79% is being obeyed by individual or the State ?
- 3.) Can an individual or State Disregard Illinois Revised Statutes of law without negating the total intent of the law ?
- 4.) Can a County , State , and City accept anything but gold and silver coin , United States legal tendernotes , current national bank notes , and Auditors if one of the litigants demands that the State of Illinois court strictly adhere to the Illinois Revised Statutes ?
- 5.) If a American citizen of the State of Illinois strictly adheres to the Illinois Revised Statutes , can the County , State , and City of Illinois disobey the Illinois Revised Statutes for it's own convenience ?
- 6.) Can an American citizen of the State of Illinois that has relied on Illinois Revised Statutes with appropriate case law , can the State , County , and City of the State of Illinois , also State if Illinois Court compell the American citizen of the State of Illinois to disobey Illinois Revised Statutes ?

#### STATEMENT OF THE CASE

The Petitioner , Albert Ostrowski , filed a Petition to Proceed in Forma Pauperis pursuant to rule 296 of the Supreme Court of Illinois .

On June 29 , 1982 in the Third District Appellate Court of Illinois case no. 82-456 and case no. 82 - 602 in September 23 , 1982 . Under the Twelfth Judicial Circuit Court case no. 82 TR 19905 .

On August 13 , 1982 the Third District Appellate Court of Illinois denied Petition to Proceed in Forma Pauperis . Furthermore , the Appellate Court did not give any orders or written opinions for the reason to deny the Petition to Proceed in Forma Pauperis , ~~to rule 296 (a) of the Supreme Court of Illinois .~~

September 23 , 1982 appeal to the Illinois Supreme of Illinois .

February 4 , 1933 the Appeal in the Supreme Court of Illinois was denied . Further - more , the Supreme Court of Illinois did not give any orders or writtent opinois for rea - son to deny the Petition to Proceed in Forma Pauperis .

The Petitioner , Albert Ostrowski , recieved a notice of alleged violation of City ordinance from the Respondent and to appear in the Twelfth Judicial Circuit on May 27 , 1982

Under the treat of arrest and posting a cash bond if the Petitioner did not come to Court on May 27 , 1982 .

Petitioner tryed to settled the matter out of Court with the Respondent , but would not .

June 29 , 1982 , filed a appeal of the Twelfth Judicial Circuit denial of Petitioner Affidavit of Prejudice on June 3 , 1982 , on Circuit Case number 82 TR 19905 . Appeal case number in the Appellate Court Third District of Illinois is 82 - 456 . The Petitioner believes and has good reason to believe and so states that by reason of bias and prejudice on the part of the Judge Lyons , a fair hearing or trial of any kind cannot result , said judge . Judge told Petitioner that he did not know the law that Defendant - Petitioner cited , which was false because of letters to the Judge Lyons by the Petitioner . Judge Lyons trying get Petitioner to violate the law at Title 31 United States Code , Section 371 , Article 1 , Section 10 of the United States Constitution , and Illinois Revised Statutes 120 , Section 672 , also Petitioner does not want to break any laws and wants his Liberty for freedom in these United States in full force at all times . Judge Lyons will not up hold the Constitution of the United States and his oath of office as Judge . Judge Lyons is Respondent second attorney , instead of a compromise roll as an inparshall referece ad - versary proceeding befor his court . Petitioner belices Judge Lyons is in violation of Title 18 United States Code , Section 241 and 242 . ( MARBURY vs. MADISON 5 United States Supreme Court , 1 Cranch )

AUGUST 24 , 1982 , filed a appeal of the Twelfth Judicial Circuit assess Defendant - Petitioner a Court cost on August 20 , 1982 , on Circuit case number 82 TR 19905 . Appeal case number in the Third District Appellate Court of Illinois is 82 - 602 . The respondent drop the alleged violation of City ordinance against petitioner . The court did no right to assess Petitioner a court cost on August 20 , 1982 , when Petitioner was there only because Respondent treated Petitioner with incarceration and that Petitioner tried to settled out of court but Respondent did not want to settle out of court .

reasons for granting the appeal

The Petitioner - Appellant - Defendant , Albert Ostrowski , believes that an American citizen has the right to demand that all of the Courts adhere to the laws and the Constitution for the United States , since an American citizen can never use the defense of ignorance

of the law as an excuse . disobeying the law . American citizen is required to obey the laws and the Constitution . Most of those in the Judicial Branch of Government ( lawyers , Judges and Law Schools ) believe that it is up to the Supreme Court of the United States to interpret the Constitution . The Petitioner Believes not , but he does believe that the Supreme Court must protect the Constitutional Rights of the American citizen . For if the Supreme Court of the United States had to interpret the laws and Constitution , those laws would be void for vagueness . Moreover American citizen could then rely on ignorance of the law as an excuse for disobeying the law . That is why the Constitution for United States was written so that all of its American citizens could understand it .

The petitioner believes that his appeals have merit , because it involves the Petitioner LIFE , LIBERTY and Property as a FREE citizen in America .

See Affidavit that is provided in the Appendix .

Petitioner is not employed and believes that payment will work very extreme hardship in the present financial situation , also week by week is getting worse .

#### CONCLUSION

In conclusion , the Petitioner - Appellant - Defendant , Albert Ostrowski has presented the Supreme Court of the United States with a dilemma . Petitioner prays that the Supreme Court of the United States grants Petitioner to proceed in FORMA PAUPERIS pursuant to Title 28 United States Code , Section 1915, empowers the court to pay every cent of Petitioner, Albert Ostrowski expenses , from the initial filing fee to the court reporter's fee to the expense of printing the record on to the final attorney's fee following the Supreme Court argument . Since the Petitioner - Appellant - Defendant , Albert Ostrowski believes that he has governed his life by adherence to the principles of the United States Constitution, he is obligated to expect that everyone else adhere to the same principles whether it be an individual , business or government . Therefore , the Supreme Court is Compelled to adhere to the Constitution and consider this appeal . If the Supreme Court denies this Appeal , it will go against the very foundation of the Constitution . Acceptance of this Appeal Will signify a decision for a nation governed by Laws .

FEBRUARY 14 , 1983

Albert Ostrowski

ALBERT OSTROWSKI

912 B PARKWOOD DRIVE

JOLIET , ILLINOIS

60432

815 • 723 • 8172

STATE OF ILLINOIS

APPELLATE COURT



THIRD DISTRICT

Joseph Fennessey  
Clerk

OTTAWA 61350

Area Code 815  
434-5050

Date: August 2, 1982

To: Mr. Albert Ostrowski  
812 B Parkwood Drive  
Joliet, IL 60432

General Case No.: 82-456

Title: City of Joliet  
vs.  
Albert Ostrowski

The Court has this day entered in the above entitled cause the following order:

Motion of the appellant, Albert Ostrowski, pro se,  
to proceed in forma pauperis is denied.

FILED  
1982 FEB 14 PM 11:57  
CLERK OF THE CIRCUIT COURT  
JULY COUNTY, ILL.

cc: Mr. Pat Schneider

*Joseph Fennessey*  
CLERK OF THE APPELLATE COURT

2

STATE OF ILLINOIS

APPELLATE COURT



THIRD DISTRICT

Joseph Fennessey  
Clerk

OTTAWA 61350

Area Code 815  
434-5050

Date:

August 13, 1982

To:

Mr. Albert Ostrowski  
912 B Parkwood Drive  
Joliet, IL 60132

General Case No.:

82-456

Title:

City of Joliet  
vs.  
Albert Ostrowski

The Court has this day entered in the above entitled cause the following order:

Motion of the appellant, Albert Ostrowski, pro se,  
to have this Court reconsider his petition to proceed in forma pauperis is denied.

FILED  
1982 FEB 14 AM 11:57  
CLERK OF THE APPELLATE COURT  
JOLIET, ILL.

cc: Mr. Pat Schneider

CLERK OF THE APPELLATE COURT



3

STATE OF ILLINOIS  
OFFICE OF  
CLERK OF THE SUPREME COURT  
SPRINGFIELD  
62706

JULEANN HORNYAK  
CLERK

TELEPHONE  
AREA CODE 217  
782-2035

December 1, 1982

Mr. Albert Ostrowski  
912 B. Parkwood Drive  
Joliet, IL 60432

In re: City of Joliet, Illinois, respondent, vs.  
Albert Ostrowski, petitioner. No. 7143

Dear Mr. Ostrowski:

On November 30, 1982, the Supreme Court made the following  
announcement concerning the above entitled cause:

The motion by petitioner, pro se, to reconsider  
petition to proceed in forma pauperis denied by  
the Appellate Court is denied.

Very truly yours,

*Juleann Hornyak*

Clerk of the Supreme Court

JH:jae

FILED  
1983 FEB 14 AM 11:57  
CLERK OF SUPREME COURT  
JOLIET COUNTY, ILL.



STATE OF ILLINOIS  
OFFICE OF  
CLERK OF THE SUPREME COURT  
SPRINGFIELD  
62706

JULEANN HORNYAK  
CLERK

TELEPHONE  
AREA CODE 217  
782 2035

February 4, 1983

Mr. Albert Ostrowski  
912 B. Parkwood Drive  
Joliet, IL 60432

THE COURT HAS THIS DAY ENTERED THE FOLLOWING ORDER IN THE CASE OF:

Gen. No. 7143

In re: City of Joliet, respondent, vs.  
Albert Ostrowski.

The motion by petitioner, pro se, to  
reconsider the order entered by this  
Court on November 30, 1982, is denied.

EXHIBIT  
"A"

FILED  
1983 FEB 14 AM 11:57  
CLERK OF THE SUPREME COURT  
JOLIE COUNTY, ILL.

JULEANN HORNYAK, CLERK

STATE OF ILLINOIS

APPELLATE COURT



THIRD DISTRICT

Joseph Fennessey  
Clerk

OTTAWA 61350

Area Code 815  
434-5050

Date:

February 8, 1983

To:

Mr. Albert Ostrowski

912 B Parkwood Drive

Joliet, IL 60432

General Case No.:

82-602

Title:

City of Joliet

vs.

Albert Ostrowski

*62-1982*  
*102-1982*  
*United States*

The Court has this day entered in the above entitled cause the following order:

On the Court's own motion, this appeal is dismissed  
for failure of the appellant to comply with the Supreme Court Rules. APPEAL  
DISMISSED

cc: Mr. Pat Schneider

*Joseph Fennessey*  
CLERK OF THE APPELLATE COURT

THIS SHOULD OF  
BEEN SUPREME  
COURT OF ILLINOIS

CIRCUIT COURT CASE NO. 82 TR 19905  
ILLINOIS APPELLATE COURT CASE NO. 82 - 456  
ILLINOIS APPELLATE COURT CASE NO. 82 - 602  
SUPREME COURT OF ILLINOIS CASE NO. 7143

PLEASE TAKE NOTICE that on this 14 day of February, 1983, the DEFENDANT \* APPELLANT PETITIONER, ALBERT OSTROWSKI, FILED HIS APPEAL TO THE UNITED STATES SUPREME COURT from THE SUPREME COURT OF ILLINOIS.

Albert E. Stone

ALBERT OSTROWSKI  
912 B PARKWOOD DRIVE  
JOLIET , ILLINOIS  
60432  
815 - 723 - 8172

FILED  
1983 FEB 14 AM 11:56  
CLERK CIRCUIT COURT  
WILL COUNTY, ILL.

The Appellate Court  
Third District, State of Illinois

Joseph Fennessey  
Clerk of Court



Ottawa, Illinois 61350.  
815 434-5050

December 30, 1982

Mr. Albert Ostrowski  
912 B Parkwood Drive  
Joliet, Illinois 60432

RE: City of Joliet vs. Ostrowski  
Appellate No. 82-456 & 82-602

Dear Mr. Ostrowski:

The Court has advised me to inform you that the motions in each of the above numbered cases are pending, but since you have petitioned the Supreme Court to appeal our original order, denying your petition for leave to proceed as a poor person, action has been suspended until the Illinois Supreme Court acts on your petition.

From a copy of a motion for reconsideration, we infer that the Illinois Supreme Court has denied your petition for leave to appeal, and when and if this action becomes final, the present motions will be disposed of.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph Fennessey".  
Joseph Fennessey, Clerk  
Third District Appellate Court

JF/ss

STATE OF ILLINOIS

APPELLATE COURT



THIRD DISTRICT

Joseph Fennessey  
Clerk

OTTAWA 61350

Area Code 815  
434-5050

Date: February 8, 1983

To: Mr. Albert Ostrowski

912 B Parkwood Drive

Joliet, IL 60432

General Case No.: 82-456

Title: City of Joliet

vs.

Albert Ostrowski

The Court has this day entered in the above entitled cause the following order:

Motion of the appellant to hold this appeal

in abeyance is denied.

cc: Mr. Pat Schneider

*Joseph Fennessey*  
CLERK OF THE APPELLATE COURT

IN THE UNITED STATES SUPREME COURT

ALBERT OSTROWSKI ,  
 DEFENDANT \* APPELLANT \* PETITIONER ,  
 \* \* VERSES \* \*  
 CITY OF JOLIET , ILLINOIS ,  
 PLAINTIFF \* APPELLEE \* RESPONDENT .

)  
 ) CIRCUIT COURT CASE NO. 82 TR 19905  
 )  
 ) ILLINOIS APPELLATE COURT CASE NO. 82 - 456  
 )  
 ) ILLINOIS APPELLATE COURT CASE NO. 82 - 602  
 )  
 ) SUPREME COURT OF ILLINOIS CASE NO. 82 - 7143  
 )

RECEIVED  
 FEB 18 1983  
 OFFICE OF THE CLERK  
 SUPREME COURT, U.S.

CERTIFICATE OF SERVICE

CITY ATTORNEY OFFICE OF JOLIET  
 150 WEST JEFFERSON STREET  
 JOLIET , ILLINOIS 60431

Circuit Court of the Twelfth Judicial Circuit ,  
 Will County , clerk Sam Paul  
 Will County Court House , 14 West Jefferson Street  
 Joliet Illinois 60431

OFFICE OF THE CLERK  
 THIRD DISTRICT APPELLATE COURT  
 1004 COLUMBUS STREET  
 CHICAGO , ILLINOIS 60605

Office of the Clerk  
 Supreme Court of Illinois  
 SUPREME COURT BUILDING  
 SPRINGFIELD , ILLINOIS 62705

THE SUPREME COURT OF THE UNITED STATES, 1ST STREET NORTH EAST  
 WASHINGTON , DISTRICT OF COLUMBIA , 20543

I, ALBERT OSTROWSKI , being sworn upon oath , state that I served a true and correct copy of the attached Notice of APPEAL TO THE SUPREME COURT OF THE UNITED STATES OF AMERICA FROM THE SUPREME COURT OF ILLINOIS less the Appendix since the others listed have all the material in the Appendix . The Petitioner - Appellant - Defendant , Albert Ostrowski , can not afford the duplication since he is poor at this present time . Additional copies will be provided upon request . The above mentioned was served on each of the above persons . The foregoing notice have been delivered by hand to the office of the Joliet Attorney and Clerk of the Circuit Court ; Certified Mail Number P 371 318 217 to the Appellate Court ; Certified Mail number P 371 318 321 to Supreme Court of Illinois ; and Certified mail Number P 371 318 218 to the Supreme Court of the United States , plainly addressed as is shown above page fully prepaid , certified mail and depositing the same in a United States Post Office at Joliet , Illinois . On the 14th day of February , 1983 , before the hour of 5:00 P.M.

By Albert Ostrowski , without counsel .

ALBERT OSTROWSKI , 912 B PARKWOOD DRIVE , JOLIET , ILLINOIS , 60432

SUBSCRIBED AND SWORN TO BEFORE ME THIS 14th DAY OF FEBRUARY 1983 .

John S. LaBuda

NOTARY

COMMISSION EXPIRES 4-6-86 .

FILED  
 1983 FEB 14 AM 11:57  
 CLERK OF CIRCUIT COURT  
 WILL COUNTY, ILL.

P 371 318 217

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to OFFICE OF THE CLERK  
THIRD DISTRICT APPELLATE  
Street and No. 1004 COLUMBUS ST.  
P.O., State and ZIP Code OTTAWA - ILL. 61520  
Postage \$ 1.22  
Certified Fee 75  
Special Delivery Fee  
Restricted Delivery Fee  
Return Receipt Showing to whom and Date Delivered 60  
Return Receipt Showing to whom, Date, and Address of Delivery  
TOTAL Postage and Fees \$  
Postmark or Date



• SENDER: Complete Items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).  
☒ Show to whom and date delivered \_\_\_\_\_ \$  
☐ Show to whom, date, and address of delivery \_\_\_\_\_ \$  
 2. ☐ RESTRICTED DELIVERY  
 (The restricted delivery fee is charged in addition to the return receipt fee.)

3. ARTICLE ADDRESSED TO: CLERK OF  
THIRD DISTRICT APPELLATE  
COURT, 1004 COLUMBUS ST.  
OTTAWA, ILL. 61520

4. TYPE OF SERVICE  
☐ REGISTERED ☐ INSURED  
☐ CERTIFIED ☐ COD  
☐ EXPRESS MAIL

P 371 318 217

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Marlene Smith

5. DATE OF DELIVERY  
2/15/83  
 ADDRESSEE'S ADDRESS (Only if requested)

POSTMARK

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

PS Form 3800, Feb. 1982

PS Form 3800, Dec. 1980

● **SENDER:** Complete items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered ..... \$

☐ Show to whom, date, and address of delivery .. \$

2. ☐ **RESTRICTED DELIVERY** .. \$

(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO: OFFICE OF THE CLERK  
SUPREME COURT • ILLINOIS  
SUPREME COURT BUILDING  
SPRINGFIELD, ILLINOIS  
62705

4. TYPE OF SERVICE:

☐ REGISTERED ☐ INSURED

☒ CERTIFIED ☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER

P371318321  
50

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

J. Hancock

DATE OF DELIVERY  
FEB 15 1983

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7b. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

P 371 318 321

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to: OFFICE OF THE CLERK  
SUPREMA COURT • ILLINOIS

Street and No. SUPREMA COURT BUILDING

P.O., State and ZIP Code SPRINGFIELD, ILL. 62705

Postage \$ 71

Certified Fee 75

Special Delivery Fee

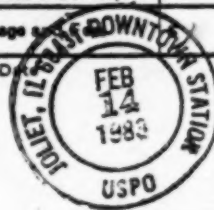
Restricted Delivery Fee

Return Receipt Showing to whom and Date Delivered 60

Return Receipt Showing to whom, Date, and Address of Delivery

TOTAL Postage

Postmark or Date



PS Form 3800, Feb. 1982

August 9 , 1983

Clerk Assistant , Supreme Court  
of the United States  
Margaret H. McFarland  
Washington , District of Columbia  
20543

RECEIVED

AUG 12 1983

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Dear Clerk McFarland :

Pursuant to your phone call on the morning of August 3 , 1983 , I went over my records , and I state as follows :

Certificate of Service of February 14 , 1983, shows you that the Illinois Supreme Court was given NOTICE OF APPEAL by Certified Mail p 371 318 321 and on February 15 , 1983 , the Supreme Court of Illinois received the NOTICE OF APPEAL , by the return receipt . All the above mention is enclosed , plus a copy of NOTICE OF APPEAL , that was filed in Illinois Supreme Court .

You mention that the stay would not hold because I did not file a stay in the lower Courts , I have check my records , found out that I filed a Motion to Hold Appeal IN ABEYANCE , just like a stay . Enclosed are copies of the Appellate Court suspending action on December 30 , 1982 ; February 8 , 1983 , denial of Motion to Hold Appeal IN ABEYANCE ; February 18 , 1983 Motion to reinstate IN ABEYANCE and Motion to reconsider IN ABEYANCE ; February 28 , 1983 , denial both case's to Hold Appeal IN ABEYANCE on 82 \* 602 and 82 \* 456 ; and on March 11 , 1983 Mandate was Issued when I was on Appeal to the United States Supreme Court, filed on February 14 , 1983 , and the Appellate Court was served that I had appealed the Case's 82 \* 602 & 82 \* 456 , by Certified Mail P 371 318 217 .

I believe my motion to stay should be good in the United States Supreme Court , but you sent it back to me . Should I send it back to you ?

I further state that my appeal to the United States Supreme Court on February 14 , 1983 , explains my case that is in the Appellate Court , which I believe has merit to be heard in the Appellate Court .

United States Supreme Court Jurisdiction is my Right to Appeal to the United States Supreme Court ; under Title 28 , United States Code , section 1915 ; and the United States Constitution of America in article 6 , Amendments 1 & 5 & 9 & 14 , section 1 , the Right of DUE PROCESS OF LAW and RIGHT OF redress of GRIEVANCE .

UNITED STATES SUPREME COURT CLERK ASSISTANT

PART II

As I understand it the case at hand is a Pauperis Petition on appeal , and not the case that is still in the appellate court . or am I wrong ?

I am very sorry if I caused you any trouble and I apologize if I did . I only have a high school education and it is very poor . This is my first law suite ever filed by me in the United States Supreme Court . I would get a attorney , but it would cost me \$100 an hour and I do not have that kind of money or ever think about making that kind of money to pay that out . It seems that there is no more Liberty and Freedom in the United States of America , when you have to pay so much to show that you are right on a matter of principal , you are suppress from keeping your respect and LIBERTY AND FREEDOM in the United States of America .

When the lower class of people are suppress from Liberty because they can not pay for their respect on matter of principal ; What is our Country head for when it became to a point where the people with money buy their Liberty and Freedom in the United States of America ?

In the case of CITIZENS BANK OF LOUISIANA vs. BOARD OF ASSESSORS OF ORLEANS, 54 Fed. 73 : THE RIGHT OF PETITION WOULD BE BUT OF LITTLE VALUE IF THE PERSONS EXERCISING IT WERE AFTERWARDS LIABLE TO BE PUNISHED FOR THEIR USE OF THE PRIVILEGE . ' I TAKE IT TO BE UNDENIABLE , ' SAYS A LEARNED JUDGE , ' THAT THE RIGHT OF PETITION , AS THAT EXPRESSION IS USED IN THE CONSTITUTION OF THE STATE , MEANS THE RIGHT OF EVERY BEING , NATURAL AND ARTIFICIAL , TO APPLY TO ANY DEPARTMENT OF GOVERNMENT , INCLUDING THE LEGISLATURE , FOR THE REDRESS OF GRIEVANCES OR THE BESTOWAL OF RIGHTS, AND IS A FURTHER GUARANTEE OF ENJOYMENT OF SUCH REDRESS OR RIGHT WHEN OBTAINED , FREE FROM ALL FORFEITURE OR PENALTY , FOR HAVING SOUGHT OR OBTAINED IT . '

In the case of Estelle vs. Gamble , 429 U.S. 97 , 106 , 97 S.Ct. 285 , 292 , 50 L.Ed.2d 251 : Pro Se complaints , however , are to be liberally construed . ; In Haines vs. Kerner , 404 U.S. 519 , 521 , 92 S.Ct. 594 , 596 , 30 L.Ed.2d 552 : Have emphasized the liberal standard , liberal approach to Pro Se pleadings , and pro se pleadings have been required to meet some minimum standard of particularity . In such circumstances , the pro se litigant has often been allowed to replead . ( Heidelberg vs. Hammer , 577 F.2d 429 ( 7th Cir. 1978 ) ) .

I still do not understand about appeals ? What can and what can not be appealed and Writ of Certiorari is about in United States Supreme Court ? Would you help me to understand this please , I would appreciate it very much .

Can you please help me on what I can do to fix my appeal so it can go through the right way ?

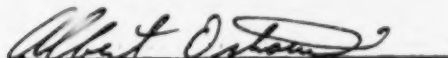
UNITED STATES SUPREME COURT CLERK ASSISTANT

PART III

I would appreciate hearing from you at your earliest convenience , I thank you in advance , and I apologize again for any trouble I cause in my case , please understand that I am ignorant .

2

TAKE CARE AND GOD BEWITH YOU ,

A handwritten signature in cursive script, reading "Albert Ostrowski", written over a horizontal line.

ALBERT OSTROWSKI

912 B PARKWOOD DRIVE

JOLIET , ILLINOIS

60432

PHONE ( 815 ) 723 \* 8172

JUL 5 1983  
Office of The Clerk  
SUPREME COURT, U.S.


RESPONDENT .

CLERK  
SUPREME COURT, U.S.

# MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Petitioner , Albert Ostrowski , ask leave to file the attached appeal from the Supreme Court of Illinois to the United States Supreme Court To Proceed in Forma Pauperis as a matter of Right ; a Stay on Appellate Court Mandate ; without prepayment of costs and to Proceed in Forma Pauperis . Petitioner has been previously denied to proceed in both the ILLINOIS SUPREME COURT and APPELLATE COURT FOR THE THIRD DISTRICT OF ILLINOIS .

Petitioner affidavit in support of this motion is attached hereto .

  
ALBERT OSTROWSKI , WITHOUT COUNSEL

## A F F I D A V I T

I , Albert Ostrowski , being first duly sworn according to law , depose and say that I am the petitioner in the above - entitled case ; I reside at 912 B Parkwood Drive , Joliet , Illinois , in the County of Will ; that in support of my motion to proceed without being required to prepay fees , cost or give security therefor , I state that because of my poverty I am unable to pay the costs of said case or to give security thereof ; and that I believe I am entitled to redress .

I further swear that the responses which I have made to the following below is relating to my ability to pay the cost of proceeding in this Court are true .

- 1.) I have lost my job indefinitely , December 1982 .
- 2.) I am not employed .
- 3.) I was laid off twice last year ( 1982 ) .
- 4.) The company that I work for ran out of money , that was to help me keep afloat for one year .
- 5.) I have out standing debts that I owe .
- 6.) That I have medical expenses that are out standing .
- 7.) Three years behind in my real estate taxes which I do not have the money for .
- 8.) Corporation that I am in debt to wants to foreclose on my residence .
- 9.) My residence has been broken into three times , December 19 , 1982 ; February 9 , 1983 ; and April 4 , 1983 , which are very big financial set backs .
- 10.) Worse of all I can not even afford a Attorney to be my counsel for my defence .
- 11.) That I do not own insurance policies with any cash value .
- 12.) That my expenses nearly equal or exceed my receipts .
- 13.) I do not own no stocks , bonds or securities .
- 14.) My liabilities nearly equal or exceed my assets .
- 15.) I do not have a savings or checking accounts .
- 16.) I have no income .
- 17.) That my finacial condition has worsen as the months go by .
- 18.) With no relief insight on my finacial condition .
- 19.) I do have a automobile , approximate value 300 Federal Reserve Notes , and is in need of a lot of repairs at this time , which I can not afford because of my very poor finacial condition presently . It may break down very soon were I can not drive it .

- 22.) I believe that payment will work extreme hardship on Albert Ostrowski , in the present financial situation .
- 23.) I believe that to prepay fee's in the form of money customarily accepted by this court would render moot one of my questions being appealed , said question being , " does the payment of fee's or costs in a thing other than gold and silver coin , if a litigant objects , properly invoke the jurisdiction of a state court " ?
- 24.) I believe Chapter 33 , Section 5 of the Illinois Revised Statutes ; Rule number 298 of the Supreme Court of Illinois ; and Title 28 United States Code , Section 1915 empowers the court to pay every cent of Albert Ostrowski expenses , so he receive DUE PROCESS OF LAW which is a GUARANTIED RIGHT by the CONSTITUTION OF THE STATE OF ILLINOIS and the CONSTITUTION FOR UNITED STATES OF AMERICA , and not punish petitioner because of his poor financial condition of unable to pay at this time and also empowers the expense of the initial filing fees to court reporter's fees to the expense of printing the record on to final attorney's fees following the Supreme Court argument .
- 25.) I believe that the Fourteen Amendment to the Constitution for the United States of America entitles citizens of the State of Illinois to the privileges as the citizens of the United States of America . Therefore , Title 28 , Section 1915 of the United States Code is binding upon all the State Courts of the State of Illinois . Article 14 , Section 1 , of the Amendments to the Constitution of the United States say ; " ALL PERSONS BORN or NATURALIZED in the UNITED STATES , and subject to the JURISDICTION thereof , are citizens of the UNITED STATES and to the STATE wherein they reside . NO STATE shall MAKE or ENFORCE any law which shall abridge the PRI - VELEGES or IMMUNITIES of the UNITED STATES ; NOR shall any STATE DEPRIVE any PERSON OF LIFE , LIBERTY or PROPERTY , without DUE PROCESS of LAW ; NOR deny to any person WITHIN its JURISDICTION the EQUAL PROTECTION of ITS LAWS . " ( emphasis added )
- 26.) I believe Illinois Revised Statutes , Chapter 120 , Section 672 , states the only kind of funds receivable by the COUNTY , STATE , AND CITY and states in NO OTHER CURRENCY .
- 27.) That I firmly believe that my cause is in the best interest of my State and County and that I should be granted status to Proceed in Forma Pauperis . TO WIT :  
" Contrary to the clear implication of the phrase ' in Forma Pauperis ' a litigant need not be a pauper to apply , it is only required that he swear that he is unable to pay ... cost or give security therefore , ' unable to pay ' does not mean completely without funds , rather , it means only that payment will work extreme hardship on the litigant : " ( Manual of Federal Practices , Mc Grow Hill book Company , page 635 to 637 ) and further this affiant says not .

I THE UNDER SIGN UNDERSTAND THAT A FALSE STATEMENT IN THIS AFFIDAVIT WILL SUBJECT ME TO PENALTIES FOR PERJURY .

SUBSCRIBED AND SWORN TO BEFORE  
THIS 1st DAY OF JUNE , 1983 .  
Rosetta J. Lantz  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 12/86 .

RESPECTFULLY SUBMITTED ,

Albert Ostrowski  
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